

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. 98-028

CEASE AND DESIST ORDER  
REQUIRING  
WILLIAM SINOR AND WENDY SINOR  
YOSEMITE SOUTH COARSEGOLD RANCH  
MADERA COUNTY  
TO CEASE AND DESIST FROM  
DISCHARGING WASTE CONTRARY TO REQUIREMENTS

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. William Sinor and Wendy Sinor (hereafter jointly referred to as Discharger) own and operate the Yosemite South Coarsegold Ranch recreational vehicle (RV) park and its two on-site wastewater treatment and disposal facilities.
2. The 33-acre RV park has 79 sewerer RV sites, 3 RV dump stations, 30 unsewered sites, 49 tent sites, and laundry facilities. Wastewater from the RV-park, including sewerer RV sites, laundry, and restrooms, is discharged to three aerated 10,000 gallon, below ground, concrete tanks operated in series, and then to one of three leachfields (Nos. 1-3) for disposal (treatment system and leachfields hereafter referred to as 'WWTF-1' or designated treatment and disposal areas) A. Wastewater from the clubhouse is discharged to a separate septic tank/leachfield system beneath the clubhouse parking lot (WWTF-2). The clubhouse parking lot is hereafter also referred to as a designated disposal area.
3. The leachlines in leachfield Nos. 1 and 2 are more than 20 years old and were failing prior to 1976. The main body of Leachfield No. 3 was installed around 1976 to replace leachfield Nos. 1 and 2, and has a history of recent failures. Board staff estimates that the potential average daily flow of sewage generated at the RV-park is about 11,600 gallons. Disposal capacity of the WWTF-1 leachfields may be as low as 3,242 gallons per day, indicating that the disposal fields are undersized.
4. Discharge from the WWTFs was governed by Waste Discharge Requirements Order No. 76-120 from 28 May 1976 until 27 February 1998. Order No. 76-120 specified, in part, the following:
  - “A.3 The discharges shall remain underground at all times.”
  - “A.5 The discharges shall be confined to property owned or controlled by the Discharger.”
  - “B.1 Bypass or overflow of wastes is prohibited.”
  - “B.2 The direct discharge of wastes to surface waters or surface water drainage way is prohibited.”
  - “B.3 The discharge of wastes within 100 feet of any well or flowing stream is prohibited.”
5. On 14 July 1995, the Executive Officer issued Cleanup and Abatement (C&A) Order No. 95-708 after receipt of recurring complaints and documentation of chronic violations of

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Order No. 76-120. Violations included WWTF-1 leachfield failures with surfacing effluent, bypassed treatment, and off-site discharges to adjacent property and to an ephemeral stream tributary to Coarsegold Creek, a water of both the United States and the state. Due to violations and staff concerns regarding the condition and capacity of the WWTF, C&A Order No. 95-708 ordered the Discharger to retain a California registered engineer (RCE) to assess the system capacity and submit an engineering report recommending modifications to ensure compliance with WDRs Order No. 76-120.

6. C&A Order No. 95-708 specified, in part, that:

"IT IS HEREBY ORDERED that, pursuant to Sections 13304 and 13267 of the California Water Code, that Mr. William Sinor and Mrs. Wendy Sinor shall:

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- "1. Employ **immediately** whatever means are necessary to abate discharge of wastewater from its wastewater treatment and disposal system in violation of Order No. 76-120. Means shall include, as necessary, operational changes, closure or partial closure of the RV-park, hauling off of excess wastewater to approved facilities or sites, and/or restrictions of water use.

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- "3. Submit to the Board by **15 August 1995**, a technical report, prepared by a California Registered Civil Engineer, which contains the following:

- a. A complete engineering evaluation of all wastewater collection, treatment, and disposal systems which includes: (1) a map showing all system component locations and sewer site locations; (2) the wastewater flows, with supporting calculations, for each wastewater treatment and disposal system; (3) the original design capacities, with supporting calculations, for each wastewater treatment and disposal system and their individual components; and (4) an assessment of the current condition and capacities of each wastewater treatment and disposal system and their individual components.
- b. A list of wastewater treatment and disposal system deficiencies and recommended modifications and or remedial actions needed to provide adequate treatment and disposal capacity.
- c. A proposed time schedule for implementing the recommended modifications within **two months** of the Executive Officer's approval."

7. Staff inspections before and after issuance of C&A Order No. 95-708 document leachfield deficiencies that inhibit the WWTF-1's disposal capacity. Deficiencies include excessive solids in the drop boxes of leachfield Nos. 1 and 2, piecemeal construction of leachfield No. 3, pumping to saturation, and evidence of rainwater run-on onto all leachfields, all of which indicate the system is technically deficient, poorly maintained, and poorly operated.

8. On 25 January 1996, the Executive Officer issued Administrative Civil Liability Complaint No. 96-502 ( ACLC) due to the Discharger's refusal to submit the engineering report specified in Finding No. 6, above, despite repeated requests from staff and continued violations of Order No. 76-120 and Order No. 95-708. The Complaint proposed that the Discharger pay \$20,000 for failing to submit the required report.
9. As documented in a 22 February 1996 Board letter, the Executive Officer agreed to settle the ACLC for \$10,000 with the Discharger's commitment to submit the engineering report required by C&A Order No. 95-708 by 21 April 1996.
10. On 22 April 1996, the Board received a report from the Discharger's consultant that was intended to fulfill the requirements of C&A Order No. 95-708, item No. 3.a and 3.b, and the 22 February 1996 settlement agreement. The report was inadequate as it failed to meet the requirements of C&A Order No. 95-708, and hence the 22 February 1996 settlement agreement. In particular, the report failed to quantify the potential or actual flows generated at the RV-park, and failed to quantify the capacity of the RV-park's WWTF's.
11. On 11 June 1997, the Board received a second report (June Report) from the Discharger's consultant that was intended by the Discharger to fulfill the requirements of C&A Order No. 95-708, item Nos. 3.a and 3.b, and the Executive Officer's 22 February 1996 settlement agreement. The June Report was determined by staff to be technically inadequate since it did not meet all the specific requirements of C&A Order No. 95-708. However, the June Report does recommend modifications to WWTF-1 and the construction of a new gray water WWTF (WWTF-3) to serve the laundry facility. The proposed modifications, in conjunction with the construction of WWTF-3, should resolve the capacity problems with WWTF-1. The June Report does meet the intent of C&A Order No. 95-708, and is, therefore, acceptable as meeting the terms of the Order.
12. On 27 February 1998, the Board adopted Waste Discharge Requirements Order No. 98-027 rescinding Order No. 76-120. Order No. 98-027 states, in part, the following:

**"A. Discharge Prohibitions:**

1. "Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. "The discharge of wastes to areas other than the designated treatment and disposal areas is prohibited.
3. "Bypass or overflow of untreated or partially treated waste is prohibited.
4. "Discharges of waste classified as 'hazardous' as defined in Section 2521(a) of Title 23, CCR, Section 2510, et seq., (hereafter Chapter 15), or 'designated,' as defined in Section 13173 of the California Water Code, is prohibited.

**“B. Discharge Specifications:**

1. The influent flow at:
  - a. WWTF-1 shall not exceed a weekly average daily flow of 4,660 gallons.
  - b. WWTF-2 shall be limited to that generated by the clubhouse.
  - c. WWTF-3 shall be limited to that generated by the laundry facility and the weekly average daily flow shall not exceed 3,300 gallons.
2. “Objectionable odors originating at the RV-park shall not be perceivable beyond the limits of the wastewater treatment and disposal areas.
3. “All components of WWTF-1 shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
4. “Settling tanks shall be managed so as to prevent solids and grease carry-over into the leachfield. Specifically, the settling tanks shall be pumped before sludge or grease will begin to carry-over into the leachfield or when solids accumulation in the final tank is 75% of the usable solids storage volume of the tank, whichever is more restrictive.
5. “Wastewater discharged to the leachfields shall remain underground at all times.
6. “The minimum setback separation from leachfields to physical features shall comply with the following:

| <u>Setback Distance (feet)</u> | <u>To</u>                            |
|--------------------------------|--------------------------------------|
| 50                             | Surface Water Drainages <sup>1</sup> |
| 50                             | Property Lines                       |
| 150                            | Domestic Wells, Public Wells         |

<sup>1</sup> As measured from the edge of the drainage course or stream.

7. “The distance between leaching trench bottoms and anticipated highest groundwater shall be greater than 5.0 feet, or such distance as necessary to provide compliance with Ground Water Limitation E.
  8. “Rainfall run-on shall be precluded from entering the leachfield areas and from ponding on top of treatment tanks. “
13. Based on the information in Finding Nos. 2 through 12, and specifically due to the age, technical deficiencies, poor construction, poor maintenance, and questionable capacity of WWTF-1, and particularly its leachfields; due to the Discharger's demonstrated refusal to comply with Board and Executive Officer Complaints and Orders; the Discharger threatens to violate Prohibition Nos. A.1 through A.3 and Discharge Specifications B.1 through B.8, of WDRs Order No. 98-027, as described above, and will continue to do so until the proposed modifications/construction are completed and the system is properly maintained and operated.

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14. Section 13301 of the California Water Code (CWC), states, in part, that:

"When a regional board finds that a discharge of waste is taking place or threatening to take place in violation of requirements or discharge prohibitions..., the board may issue an order to cease and desist and direct that those persons... (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) take appropriate remedial or preventive action."

15. The Board has notified the Discharger and interested agencies and persons of its intent to consider adoption of a Cease and Desist Order and provided them with an opportunity for public hearing and an opportunity to submit their written views and recommendations.
16. Issuing an enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Title 14, California Code of Regulations, Section 15321.
17. Any person affected adversely by this action of the Board may petition the State Water Resources Control Board to review the action. The petition must be received by the State Board within 30 days of the date on which the Board took action. Copies of the law and regulations applicable to filing petitions will be provided on request.

**IT IS HEREBY ORDERED** that C&A Order No. 95-708 is rescinded and, pursuant to Section 13301 of the California Water Code, William Sinor and Wendy Sinor, dba Yosemite South Coarsegold Ranch, their agents, successors, and assigns shall:

1. Cease and desist discharging wastes in violation or threatened violation of Waste Discharge Requirements Order No. 98- 027. No term or condition of Order No. 98-027 is superseded or stayed by this Cease and Desist Order.
2. Implement a permanent solution and achieve consistent compliance with waste discharge requirements in accordance with the following tasks and time schedule:

| <u>Task</u>   | <u>Completion<br/>Date</u> | <u>Report<br/>Due</u> |
|---|----------------------------|-----------------------|
| a. Begin proposed modifications to WWTF-1 including:<br>(1) installing 5,000 gallon settling tank, (2) installing a<br>flow meter (3) installing all control panels and alarms,<br>and (4) regrading primary leachfields. Begin<br>construction of WWTF-3 including: (1) installing a | <b>1 Mar 98</b>            | <b>15 Mar 98</b>      |

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3,500 gallon septic tank, (2) installing 1,375 feet of leach lines, and (3) installing a flow meter. Install perimeter subdrains for leachfields Nos. 1, 2, and 4.

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|----|--|------------------|-----------------|
| b. | Submit status report on progress of items in Task (a).                   | <b>15 Mar 98</b> | <b>1 Apr 98</b> |
| c. | Achieve full compliance with WDRs and complete all tasks in (a) and (b). | <b>1 Jun 98</b>  | <b>1 Jun 98</b> |

Technical reports, construction, and modifications to WWTF-1 and WWTF-3 shall be prepared or overseen by a civil engineer registered in the State of California and experienced in the design of wastewater treatment and disposal facilities. All reports and plans are subject to the approval of the Executive Officer.

If, in the opinion of the Executive Officer, the Discharger violates this Order, the Executive officer may apply to the Attorney General for judicial enforcement or issue a complaint for Administrative Civil Liability.

I, GARY M. CARLTON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 27 February 1998.

GARY M. CARLTON, Executive Officer

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